

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MARIO J. PRIMM,)
Petitioner,)
v.) No. 4:05-CV-1295 CAS
DON ROPER,)
Respondent.)

ORDER

This matter is before the Court on state prisoner Mario J. Primm's action pursuant to 28 U.S.C. § 2254. This case was referred to United States Magistrate Judge Thomas C. Mummert, III, for report and recommendation on all dispositive matters and for final disposition on all non-dispositive matters, pursuant to 28 U.S.C. § 636(b).

On July 24, 2008, Judge Mummert filed a Report and Recommendation of United States Magistrate Judge which recommended that Primm's petition for writ of habeas corpus be denied. Petitioner sought and received an extension of time to file objections to the Report and Recommendation. The Court has carefully reviewed petitioner's objections and the entire record of this matter.

Following de novo review, the Court concurs in the recommendation of the Magistrate Judge as contained in the well-reasoned and thorough Report and Recommendation. Petitioner's objections are overruled.

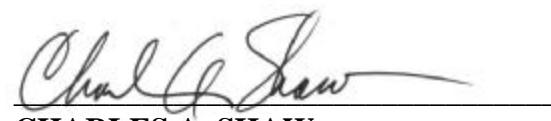
Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of United States Magistrate Judge is **sustained, adopted** and **incorporated** herein. [Doc. 24]

IT IS FURTHER ORDERED that Mario J. Primm's Petition for Writ of Habeas Corpus pursuant to Title 28 U.S.C. § 2254 is **DENIED**. [Doc. 3]

IT IS FURTHER ORDERED that this matter is **DISMISSED**, with no further action to take place herein.

An appropriate judgment will accompany this order.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 19th day of August, 2008.